

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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JOHN FUCHS, PATRICK MORIN, ANTHONY
MACAGNONE, MICHAEL CONROY, DAVID
HAINES, GEOFFREY JAMES, JAMES MALCOLM,
WILLIAM MACCHIONE, WALTER KRUPA, ALAN
EHL, WILLIAM WEOTZMAN, JOSEPH OLIVIERI,
DALE STUHLMILLER, ARTHUR GODSELL,
ROBERT CARLION, PAUL J. O'BRIEN, JR.,
JOSEPH GANIRO, ROSS PEPE, RICHARD
O'BEIRNE, and JAMES LOGAN, as Trustees
of the EMPIRE STATE CARPENTERS WELFARE,
PENSION, VACATION, ANNUITY, SCHOLARSHIP,
LABOR-MANAGEMENT COOPERATION and
CHARITABLE TRUST FUNDS,

Plaintiffs,

against

NEW ROCHELLE CONTRACTING CORP.,

ORDER ADOPTING MAGISTRATE
REPORT AND RECOMMENDATION
04-CV-3004 (JS) (ETB)

Defendant.

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APPEARANCES:

For Plaintiff: Marty Gerard Glennon, Esq.
Anthony Lumia, Esq.
Meyer, Suozzi, English & Klein P.C.
425 Broadhollow Road, Suite 405
Melville, New York 11747

For Defendant: No appearance

SEYBERT, District Judge:

Upon review of the Report and Recommendation of
Magistrate Judge E. Thomas Boyle, dated November 16, 2005, to which
no party has objected, the Court hereby ADOPTS the Report and
Recommendation in its entirety.

**COUNSEL IS DIRECTED TO IMMEDIATELY NOTIFY
ALL PARTIES OF THIS ORDER**

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
April 7, 2006